S.B.CR. MISC. BAIL APPLICATIONNO.2625/2006

Date : 07.07. 2006

HON'BLE MR. SATYA PRAKASH PATHAK, J.

Mr. D.S. Udawat for the applicant.
Mr. Vishnu Kachhawaha, Public Prosecutor for State.
Mr. R.K. Charan for complainant.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor for the State assisted by learned counsel for the complainant and carefully gone through the case diary and the impugned order.

The contention of learned counsel for the applicant is that the applicant is a lady and no recovery is to be made from her and co-accused have already been enlarged on bail under Section 439 Cr.P.C. by this Court, therefore, the present applicant may also be enlarged on bail.

On the other hand, learned Public Prosecutor has opposed the bail application and submitted that there is one more circumstance which requires consideration is that Jati Panchayat threatened the complainant and asked her to take

compensation, therefore, the applicant should not granted bail as there are chances of tempering with the prosecution evidence.

I have considered the submission made before me and the material available on record.

Without expressing any opinion on the merit of the case, however taking into consideration the overall facts and circumstances of the present case and the fact that the applicant is a lady and other co-accused have been released, I deem it just and proper to grant anticipatory bail to the applicant. Accordingly, the bail application is allowed and it is directed that in the event of arrest of applicant Smt. Madi Devi wife of Parma Ram by I.O./S.H.O. in FIR No.96/2006 P.S. Raipur, District Pali, she shall be released on bail provided she furnishes a personal bond in the sum of Rs.30,000/- alongwith two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of Investigating Officer on the following conditions:-

(i)That she shall make herself available for interrogation by a police officer as and when required;

(ii)That she shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii)That she shall not leave India without the previous permission of the Court.

(SATYA PRAKASH PATHAK), J.